

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HUNTER OF CALIFORNIA, OR HIS DESIGNEE,
DEBATABLE FOR 10 MINUTES:

**AMENDMENT TO H.R. 1588, AS REPORTED
OFFERED BY MR. HUNTER OF CALIFORNIA**

102

At the end of subtitle B of title I (page 20, after line 24), insert the following new section:

1 SEC. 112. CONFIGURATION OF FOURTH STRYKER BRIGADE

2 COMBAT TEAM.

3 (a) CONFIGURATION, LETHALITY ENHANCEMENTS,
4 AND SUSTAINABILITY.—The Secretary of the Army shall
5 configure the fourth Stryker brigade combat team so that
6 that brigade combat team provides the commanders of
7 combatant commands with enhanced combat capability
8 and sustainability well beyond the combat and
9 sustainment capabilities provided by any one of the first
10 three fielded Stryker brigade combat teams.

11 (b) FUNDS.—The amount provided in section 101(3)
12 is hereby increased by \$100,000,000, to be available for
13 procurement of additional lethality and sustainability en-
14 hancements for the fourth Stryker brigade combat team.

15 (c) OPTIONS FOR CONSIDERATION.—In the execution
16 of the funds provided pursuant to subsection (b)(1), the
17 Secretary of the Army shall include among the enhance-
18 ments considered for the configuration of the fourth
19 Stryker brigade combat team enhancement with heavy ar-
20 mored vehicles, with additional heavy attack helicopters,



1 with additional reconnaissance and attack helicopters, and
2 with indirect fire artillery capabilities, or with any com-
3 bination thereof.

4 (d) REPORT REQUIRED.—Not later than 30 days
5 after the date of the enactment of this Act, the Secretary
6 of the Army shall submit to the congressional defense com-
7 mittees a report that details the additional types of
8 lethality and sustainability enhancements that will be
9 fielded as part of the new configuration of the fourth
10 Stryker brigade combat team.

At the end of subtitle A of title II (page 30, after
line 7), insert the following new section:

11 **SEC. 203. PROGRAM INCREASES.**

12 (a) COMPUTER-ASSISTED MEDICAL DIAGNOSTIC
13 TECHNOLOGY.—The amount provided in section 201(1)
14 for research, development, test, and evaluation, Army, is
15 hereby increased by \$3,000,000, to be available for Med-
16 ical Advanced Technology in Program Element 0603002A
17 for evaluation for potential use by Department of Defense
18 medical treatment facilities of commercially available med-
19 ical diagnostic technology that, using a digital chemical
20 library and decision support software, can be used for di-
21 agnosis of dermatological diseases.

22 (b) LIGHTWEIGHT CARTRIDGE CASES FOR AMMUNI-
23 TION.—The amount provided in section 201(1) for re-



1 search, development, test, and evaluation, Army, is hereby
2 increased by \$3,000,000, to be available for Weapons and
3 Munitions Advanced Technology in Program Element
4 0603004A for advanced technology development for light-
5 weight cartridge cases for ammunition.

6 (c) AVIATION-SHIPBOARD INFORMATION TECH-
7 NOLOGY.—The amount provided in section 201(2) for re-
8 search, development, test, and evaluation, Navy, is hereby
9 increased by \$6,500,000, to be available for Shipboard
10 Aviation Systems in Program Element 0604512N to com-
11 plete research and development for the Aviation-Shipboard
12 Information Technology Initiative.

13 (d) AUTOREAD.—The amount provided in section
14 201(2) for research, development, test, and evaluation,
15 Navy, is hereby increased by \$1,400,000, to be available
16 for Shipboard Aviation Systems in Program Element
17 0604512N to complete research and development for the
18 AutoREAD system for improving the accuracy and reduc-
19 ing the workload of collecting preventive maintenance data
20 on aircraft launch and recovery systems.

21 (e) SPIKE URBAN WARFARE SYSTEM.—The amount
22 provided in section 201(2) for research, development, test,
23 and evaluation, Navy, is hereby increased by \$5,000,000,
24 to be available for the Marine Corps Advanced Technology
25 Demonstrations in Program Element 0603640M for devel-



1 opment and demonstration of the SPIKE urban warfare
2 system.

3 (f) RESEARCH IN HYDROGRAPHIC SCIENCES.—The
4 amount provided in section 201(2) for research, develop-
5 ment, test, and evaluation, Navy, is hereby increased by
6 \$3,250,000, to be available for Air/Ocean Tactical Appli-
7 cations advanced component development and prototyping
8 in Program Element 0603207N for hydrographic sciences
9 research.

10 (g) SHIPBOARD ELECTRONIC WARFARE IMPROVE-
11 MENTS.—The amount provided in section 201(2) for re-
12 search, development, test, and evaluation, Navy, is hereby
13 increased by \$5,000,000, to be available for system devel-
14 opment and demonstration for Tactical Command Sys-
15 tems in Program Element 0604231N for an at-sea dem-
16 onstration for shipboard use of a variant of the F/A-22
17 digital electronic warfare product improvement program.

18 (h) AEROSPACE SENSORS.—The amount provided in
19 section 201(3) for research, development, test, and evalua-
20 tion, Air Force, is hereby increased by \$4,000,000, to be
21 available for Aerospace Sensors in Program Element
22 0602204F for development of general purpose
23 reconfigurable signal processors suitable for time critical
24 sensor processing for broad military intelligence, surveil-
25 lance, and reconnaissance applications.



1 (i) ELEMENTAL DETECTOR TECHNOLOGY AP-
2 PRAISAL.—The amount provided in section 201(4) for re-
3 search, development, test, and evaluation, Defense-Wide,
4 is hereby increased by \$2,000,000, to be available for Pro-
5 gram Element 0603750D8Z, Advanced Concept Tech-
6 nology Demonstrations, to evaluate the capability of an
7 elemental detector to provide directional cueing to con-
8 centrations of specific elements and compounds.

9 (j) MUSTARD GAS ANTIDOTE.—The amount provided
10 in section 201(4) for research, development, test, and eval-
11 uation, Defense-wide, is hereby increased by \$5,000,000,
12 to be available for Chemical-Biological Defense Applied
13 Research in Program Element 0603284BP for continuing
14 applied research on an antidote for mustard gas.

At the end of subtitle A of title III (page 45, after
line 21), insert the following new sections:

15 **SEC. 304. COUNTEREXPLOITATION INITIATIVE.**

16 Within the amount authorized to be appropriated by
17 section 301(5) for operations and maintenance, Defense-
18 wide, the amount for the United States Special Operations
19 Command is hereby increased by \$1,100,000, to be made
20 available for the initiative for accurately tracing portable,
21 sensitive items exported beyond the borders of the United
22 States.



1 **SEC. 305. REDUCTION IN AUTHORIZATION FOR AIR FORCE**
2 **OPERATION AND MAINTENANCE ACCOUNT.**

3 The amount authorized to be appropriated in section
4 301(4) is hereby reduced by \$135,500,000.

In section 318, strike subsection (c) (page 62, line 21, through page 64, line 7) and insert the following new subsection:

5 (c) INCIDENTAL TAKINGS OF MARINE MAMMALS IN
6 MILITARY READINESS ACTIVITIES.—Section 101(a)(5) of
7 the Marine Mammal Protection Act of 1972 (16 U.S.C.
8 1371(a)(5)) is amended—

9 (1) in subparagraph (A), by adding at the end
10 the following:

11 “Notwithstanding the preceding sentence, the Sec-
12 retary is not required to publish notice under this
13 subparagraph with respect to incidental takings
14 while engaged in a military readiness activity (as de-
15 fined in section 315(f) of Public Law 107–314; 16
16 U.S.C. 703 note) authorized by the Secretary of De-
17 fense, except in the Federal Register.”;

18 (2) in subparagraph (D), by adding at the end
19 the following new clause:

20 “(vi) Notwithstanding clause (iii), the Secretary
21 is not required to publish notice under this subpara-
22 graph with respect to an authorization under clause



1 (i) of incidental takings while engaged in a military
2 readiness activity (as defined in section 315(f) of
3 Public Law 107-314; 16 U.S.C. 703 note) author-
4 ized by the Secretary of Defense, except in the Fed-
5 eral Register.”; and

6 (3) by adding at the end the following new sub-
7 paragraph:

8 “(F) In determining whether a military readi-
9 ness activity (as defined in section 315(f) of Public
10 Law 107-314; 16 U.S.C. 703 note) authorized by
11 the Secretary of Defense is in compliance with the
12 requirements of subparagraphs (A), (B), and (D),
13 the following references shall not apply:

14 “(i) In subparagraph (A), ‘within a speci-
15 fied geographical region’ and ‘within that region
16 of small numbers’.

17 “(ii) In subparagraph (B), ‘within a speci-
18 fied geographical region’ and ‘within one or
19 more regions’.

20 “(iii) In subparagraph (D), ‘within a spe-
21 cific geographic region’, ‘of small numbers’, and
22 ‘within that region’.”.

In section 421, strike \$98,938,511,000” (page 83,
line 23) and insert “\$98,634,511,000”.



In section 1021(a), strike paragraph (10) (page 262, lines 7 and 8).

In section 1021(a), strike paragraph (29) (page 266, lines 4 through 7).

In section 1021(a), strike paragraph (34) (page 266, lines 16 and 17).

In section 1021, strike subsection (b) (page 2674, lines 22 through 24).

Page 342, starting on line 10, strike “the Federal Employees Pay for Performance Act of 2003” and insert “the National Defense Authorization Act for Fiscal Year 2004”.

Page 342, starting on line 25, strike “sections 3 and 4 of the Federal Employees Pay for Performance Act of 2003,” and insert “section 1106 of the National Defense Authorization Act for Fiscal Year 2004,”.

Page 343, line 19, strike “(c)” and insert “(3)”.

Page 344, line 3, strike “subsection (c)(2)” and insert “paragraph (2)”.

Strike section 1109 (page 346, line 20 through page 348, line 6) and insert the following:



1 **SEC. 1109. CLARIFICATION OF HATCH ACT.**

2 No Federal employee or individual who, before the
3 date of the enactment of this Act, was employed in the
4 Office of the Department of Defense Inspector General
5 and transferred to a Special Court sponsored by the
6 United Nations pursuant to the authority described in sec-
7 tion 3582(a) of title 5, United States Code, shall be sub-
8 ject to enforcement of the provisions of section 7326 of
9 such title, except that this section shall not apply in the
10 event that such employee or individual subsequently be-
11 comes reemployed in the civil service.

In section 1201(d)(2), insert “of such section” after
“subsection (a)” (page 373, line 14).

In section 1201(d)(3), strike “each” (page 373, line
18) and insert “such”.

Page 374, line 9, strike the fourth word.

Strike section 1453 (page 427, line 12, through page
429, line 10).

In section 1455(a), strike the matter preceding
paragraph (1) (page 430, lines 11 through 14) and insert
the following:

12 (a) IN GENERAL.—No contract awarded on a sole
13 source basis for the procurement of items or services that



1 are treated as or deemed to be commercial items pursuant
2 to the amendments made by section 1441, 1444, or 1457
3 of this Act shall be exempt from—

At the end of subtitle E of title XIV (page 433,
after line 20), insert the following new section:

4 **SEC. 1457. AMENDMENTS RELATING TO FEDERAL EMER-**
5 **GENCY PROCUREMENT FLEXIBILITY.**

6 (a) REPEAL OF SUNSET FOR AUTHORITIES APPLICA-
7 BLE TO PROCUREMENTS FOR DEFENSE AGAINST OR RE-
8 COVERY FROM TERRORISM OR NUCLEAR, BIOLOGICAL,
9 CHEMICAL, OR RADIOLOGICAL ATTACK.—Section 852 of
10 the Homeland Security Act of 2002 (Public Law 107–296;
11 116 Stat. 2235) is amended by striking “, but only if a
12 solicitation of offers for the procurement is issued during
13 the 1-year period beginning on the date of the enactment
14 of this Act”.

15 (b) APPLICABILITY OF INCREASED SIMPLIFIED AC-
16 QUISTION THRESHOLD.—(1) The matter preceding para-
17 graph (1) of section 853(a) of the Homeland Security Act
18 of 2002 (Public Law 107–296; 116 Stat. 2235) is amend-
19 ed to read as follows:

20 “(a) THRESHOLD AMOUNTS.—For a procurement re-
21 ferred to in section 852, the simplified acquisition thresh-
22 old referred to in section 4(11) of the Office of Federal



1 Procurement Policy Act (41 U.S.C. 403(11)) is deemed
2 to be—”.

3 (2) Subsections (b) and (c) of section 853 of such
4 Act are repealed.

5 (3) The heading of section 853 of such Act is amend-
6 ed to read as follows:

7 **“SEC. 853. INCREASED SIMPLIFIED ACQUISITION THRESH-**
8 **OLD FOR CERTAIN PROCUREMENTS.”.**

9 (4) The table of contents in section 1(b) of such Act
10 is amended by striking the item relating to section 853
11 and inserting the following:

“Sec. 853. Increased simplified acquisition threshold for certain procurements.”.

12 (5) Section 18(c)(1) of the Office of Federal Procure-
13 ment Policy Act (41 U.S.C. 416(c)(1)) is amended—

14 (A) by striking “or” at the end of subpara-
15 graph (G);

16 (B) by striking the period at the end of sub-
17 paragraph (H) and inserting “; or”; and

18 (C) by adding at the end the following:

19 “(I) the procurement is by the head of an exec-
20 utive agency pursuant to the special procedures pro-
21 vided in section 853 of the Homeland Security Act
22 of 2002 (Public Law 107-296).”.

23 (c) **APPLICABILITY OF CERTAIN COMMERCIAL ITEMS**
24 **AUTHORITIES.—**(1) Subsection (a) of section 855 of the



1 Homeland Security Act of 2002 (Public Law 107–296;
2 116 Stat. 2236) is amended to read as follows:

3 “(a) AUTHORITY.—With respect to a procurement re-
4 ferred to in section 852, the head of an executive agency
5 may deem any item or service to be a commercial item
6 for the purpose of Federal procurement laws.”.

7 (2) Subsection (b)(1) of section 855 of such Act is
8 amended by striking “to which any of the provisions of
9 law referred to in subsection (a) are applied”.

10 (d) EXTENSION OF DEADLINE FOR REVIEW AND RE-
11 PORT.—Section 857(a) of the Homeland Security Act of
12 2002 (Public Law 107–296; 116 Stat. 2237) is amended
13 by striking “2004” and inserting “2006”.

In section 2803(b)(2)(A), insert “subsections” after
“as” (page 464, line 15).

In section 2805(b), strike “2822” and insert
“2822(b)” (page 472, line 18).

At the end of subtitle C of title XXVIII (page 487,
after line 23), insert the following new section:

14 **SEC. ____ . LAND CONVEYANCE, FORT BELVOIR, VIRGINIA.**

15 (a) CONVEYANCE REQUIRED.—The Secretary of the
16 Army shall convey, without consideration, to Fairfax
17 County, Virginia (in this section referred to as the “Coun-
18 ty”), all right, title, and interest of the United States in



1 and to a parcel of real property, including any improve-
2 ments thereon, consisting of approximately 10 acres at
3 Fort Belvoir and known as the John McNaughton Memo-
4 rial baseball fields for the purpose of permitting the Coun-
5 ty to use the property for recreational purposes.

6 (b) PAYMENT OF COSTS OF CONVEYANCE.—(1) The
7 Secretary may require the County to cover costs to be in-
8 curred by the Secretary, or to reimburse the Secretary for
9 costs incurred by the Secretary, to carry out the convey-
10 ance under subsection (a), including survey costs, costs re-
11 lated to environmental documentation, and other adminis-
12 trative costs related to the conveyance. If amounts are col-
13 lected from the County in advance of the Secretary incur-
14 ring the actual costs, and the amount collected exceeds
15 the costs actually incurred by the Secretary to carry out
16 the conveyance, the Secretary shall refund the excess
17 amount to the County.

18 (2) Amounts received as reimbursement under para-
19 graph (1) shall be credited to the fund or account that
20 was used to cover the costs incurred by the Secretary in
21 carrying out the conveyance. Amounts so credited shall be
22 merged with amounts in such fund or account, and shall
23 be available for the same purposes, and subject to the
24 same conditions and limitations, as amounts in such fund
25 or account.



1 (c) DESCRIPTION OF PROPERTY.—The exact acreage
2 and legal description of the real property to be conveyed
3 under subsection (a) shall be determined by a survey satis-
4 factory to the Secretary.

5 (d) ADDITIONAL TERMS AND CONDITIONS.—The
6 Secretary may require such additional terms and condi-
7 tions in connection with the conveyance under subsection
8 (a) as the Secretary considers appropriate to protect the
9 interests of the United States.

In section 3121(e)(5), insert “, as amended by sec-
tion 3112,” after “926)” (page 513, line 23).

Page 537, line 23, strike the first close parenthesis.

Page 544, line 13, insert “Authorization” after “Na-
tional Defense”.

Page 557, line 9, strike “(c)” and insert “(d)”.

Page 560, line 24, insert open quotation marks be-
fore “SEC.”.

Page 572, line 11, strike “ON” and insert “TO CON-
GRESS OF”.

Page 572, line 15, strike “Fiscal Year”.

Page 574, line 8, strike “of” the first place it ap-
pears and insert “after”.



Page 587, line 23, strike "59" and insert "50".

Page 616, line 9, insert "by redesignating the second subsection (e) as subsection (f), and" after "is amended".

Page 616, line 10, strike "(e)" and insert "(g)".

Page 622, lines 15 and 16, strike "(e)" each place it appears and insert "(g)".

